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SENATE

REPORT
100-112

ARMS CONTROL AND DISARMAMENT AMENDMENTS ACT OF 1987

JULY 15 (legislative day, JUNE 23), 1987.—Ordered to be printed

Mr. PELL, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany S. 1498]

The Committee on Foreign Relations, having had under consideration an original bill to amend the Arms Control and Disarmament Act to authorize appropriations for fiscal year 1988 for the Arms Control and Disarmament Agency, and for other purposes, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE BILL

The principal purpose of the bill is to authorize an appropriation of $29,000,000 for fiscal year 1988 for the Arms Control and Disarmament Agency (ACDA). In addition, the bill authorizes the expenditure of $7,053,000 in fiscal year 1988 only in support of the Geneva arms control negotiations, the expenditure of not more than $2,600,000 by the Agency in fiscal year 1988 to support the Reduced Enrichment in Research and Test Reactor Program, and the expenditure of not less than $310,000 in fiscal year 1987 for the Agency's Visiting Scholars Program. The bill also requires an annual report on the activities of the Standing Consultative Commission, clarifies and expands the requirements related to an annual report on the adherence to arms control agreements by the United States and the compliance with such agreements by other nations, and establishes a new requirement that the Director submit annually to Congress a comprehensive compilation of arms control and disarmament studies.

91-010

S381-13
S383-12

Committee Action

At executive branch request, the chairman introduced on March 26, 1987, a bill, S. 859, to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations.

On March 24, the committee held a hearing on the Agency's authorization request. The Honorable Kenneth L. Adelman, Director of the Arms Control and Disarmament Agency, testified in support of the request. He was accompanied by William Montgomery, Administrative Director of the Agency. In the course of the hearing, members explored a number of arms control issues with Mr. Adelman, including the status of the Geneva negotiations and ACDA's role in that effort. Subsequently, at committee request, the Agency provided information for the record on budgetary matters, various research programs, specific arms control negotiation issues, nuclear testing policy, and verification.

The committee met on May 15 to mark up the authorization bill and by voice vote with a quorum present ordered an original bill reported favorably.

Committee Comments

The Agency requested an authorization for fiscal year 1988 of $32.7 million, an increase of $3.7 million over the fiscal year 1987 spending level. The committee considered the request carefully and concluded that, while the Agency request has merit, some trimming appears possible. Moreover, budgetary restrictions make it clear that spending in the foreign policy area must be at a freeze level at best, except when extraordinary and compelling need is demonstrated. Such is not the case with the ACDA authorization request. Accordingly, the committee decided to approve spending at the freeze levels, or $29 million.

To help the Agency deal with the budgetary squeeze, and for other reasons, the committee decided to reduce by one-half proposed spending for one costly program which would have consumed $5.2 million of the $5.9 million research program.

The ACDA authorization request anticipates spending of $5.2 million for the Reduced Enrichment in Research and Test Reactor (RERTR) Program, an increase of $400,000 above the $4.8 million provided for in the fiscal year 1987 External Research Program. The RERTR Program, which is aimed at developing a low-enrichment fuel for research reactors worldwide, was transferred to ACDA from the Department of Energy last year. The Agency had requested authorizations and appropriations for RERTR in fiscal years 1984 and 1985, but was turned down. ACDA did not renew that request in seeking the fiscal year 1986 authorization or appropriation or for the fiscal year 1987 authorization. However, last year the Agency did seek and gain appropriations committee support for the program to be transferred in fiscal year 1987. In the past, transfer of the RERTR Program to ACDA for DOE has elicited little support in Congress because of questions about the merits of ACDA management in lieu of that of DOE, and the possibility that funding for RERTR would divert funds from other worthwhile research projects. Clearly, ACDA's support for external research has steadily fallen. Information provided by ACDA indicates re-

search spending by ACDA as follows in the pre-RERTR period: 1980, $3,864,000; 1981, $2,444,000; 1982, $1,902,000; 1983, $975,000; 1984; $1,345,000; 1985, $1,370,000; and 1986, $945,000. The taking on of RERTR has led to a further decline, as seen in the Agency's estimate that non-RERTR research spending will drop to an estimated $700,000 in fiscal year 1987 and $735,000 in fiscal year 1988.

The committee believes that the RERTR Program has distinct value in nonproliferation efforts and merits adequate support until its projected termination in fiscal year 1990. However, the Agency should not be required to shoulder the whole burden of the project, in which both ACDA and DOE have interests. Clearly, some of the costs assumed by ACDA in fiscal year 1987 for RERTR, such as operation of the Oak Ridge research reactor in order to conduct a full-core demonstration of the utility of low-enriched fuels, are well beyond the Agency's normal range of operations and should be the responsibility of DOE.

Accordingly, the committee decided to restrict the ACDA share of RERTR spending in fiscal year 1988 to not more than $2.6 million, which is exactly half of projected spending. The committee urges the Agency to review the RERTR Program to ascertain possible economies and to seek the cooperation of the DOE funding.

The committee also earmarked $7,063,000 to be spent only for expenses connected with the Geneva negotiations. The Agency had indicated that it expects to spend that amount, and the committee decided to continue the practice initiated 2 years ago of earmarking sums for negotiations in order to ensure that those efforts continue to receive the full financial support needed.

GENEVA NEGOTIATION COSTS

[In thousands of dollars]

	Fiscal year—		
	1986 actual	1987 estimated	1988 projected
Salaries and benefits	1,255	1,255	1,255
Travel	895	967	1,000
Representation	22	25	25
Permanent change of station	407	300	410
Interpreters	700	677	716
Geneva account	3,970	3,108	3,522
External research	207	100	135
Total	6,466	6,432	7,063

In addition, the committee earmarked $310,000 to support the William C. Foster Fellows Program at the Agency, under which scholars in the appropriate sciences are brought into the Agency from the academic world for 1 or 2 years to work in specific Agency activities. The program was started in 1984 at committee initiative, and six scholars came to the Agency and made laudable contributions. In the current fiscal year there are only two scholars. The committee earmarked a sum ACDA anticipates spending for the scholars program to ensure that the program is reinvigorated.

The committee bill also requires a new annual report by the U.S. Commissioner of the Standing Consultative Commission on activi-

ties of the Commission. The SCC was established under the terms of the 1972 Anti-ballistic Missile Treaty, and is the proper forum for the discussion of most strategic arms treaty compliance questions and related issues between the United States and the Soviet Union.

Given the continuing importance of verification provisions in arms control agreements, the committee believes it would be of considerable value to receive direct, firsthand reports from the U.S. official charged with dealing directly with the Soviet Union in compliance matters.

The committee also clarified and expanded the coverage of an annual report now required from the President on the adherence of the United States to, and the compliance of other nations with, the provisions of arms control agreements. After the change in law approved by the committee, the President will be required under Section 52 of the Arms Control and Disarmament Act to report on Soviet compliance as well as that of other nations. In addition, information is to be provided on steps taken by the Soviet Union and other nations with regard to their military bases in order to meet obligations undertaken in arms control agreements. These changes will ensure that Congress has a single, comprehensive document addressing all compliance issues for its use each year.

The committee also decided, at the suggestion of Senator Kerry, to require the Director to provide an annual report to Congress including a comprehensive list of research, development, and other studies related to arms control and disarmament issues done for and by the Government. By statute, the Director is authorized and directed to ensure that such studies are conducted, to make arrangements for such studies, and to coordinate such efforts by other government agencies. The committee is concerned at the steadily diminishing level of support for external research provided by the Agency. This compilation should help in ascertaining what research is being done and by whom, and what problems there are which require remedy and redirection. The report will also serve to put the Agency into a better position to carry out the required coordination of research, a duty which has been neglected.

The Agency possesses considerable expertise in a number of arms control areas directly at issue in the Geneva talks and in other forums. The Agency could play a central role in forging solid, verifiable arms control agreements at an early date. Accordingly, the committee took care to make sure that ACDA has the necessary congressional support to participate effectively in interagency deliberations and in negotiations.

The committee believes that its original bill will provide ACDA with the necessary Congressional guidance and financial support. In addition, the bill will help ensure that corrective action is taken in key areas.

Section-by-Section Analysis

Section 1. This section provides that this Act may be cited as the "Arms Control and Disarmament Act of 1987."

Section 2. This section authorizes the appropriation of $29,000,000 for the Agency for fiscal year 1988. In addition, the sec-

tion specifies that $7,063,000 should be available in the fiscal year only to pay necessary expenses connected with the Geneva arms control negotiations, that not more than $2,600,000 shall be expended in the fiscal year to support the Reduced Enrichment in Research and Test Reactor Program, and that not less than $310,000 shall be available only for the Agency's Visiting Scholars Program.

Section 3. This section requires that the President submit an annual report to Congress prepared by the U.S. Commissioner on the activities of the U.S.-U.S.S.R. Standing Consultative Commission established under Article XIII of the Treaty on the Limitation of Anti-Ballistic Missile Systems.

Section 4. This section clarifies and expands upon the requirements to be met in an annual report submitted by the President on the adherence by the United States to arms control agreements and the compliance by other nations with the obligations undertaken in arms control agreements.

Section 5. This section establishes a new requirement that the Director submit annually to the Congress a comprehensive compliation of arms control and disarmament studies.

Cost Estimate

In accordance with Rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the committee provides the following estimates of the cost of this original bill, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, June 11, 1987.

Hon. Claiborne Pell,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate on the Arms Control and Disarmament Amendments Act of 1987, as ordered reported by the Senate Committee on Foreign Relations on May 15, 1987.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

With best wishes,
Sincerely,

Robert F. Hale
(For Edward M. Gramlich,
Acting Director).

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: Unassigned.
2. Bill title: Arms Control and Disarmament Amendments Act of 1987.
3. Bill status: As ordered reported by the Senate Committee on Foreign Relations on May 15, 1987.
4. Bill purpose: The bill authorizes appropriations for the Arms Control and Disarmament Agency for fiscal year 1988.
5. Estimated cost to the Federal Government:

[By fiscal years, in thousands of dollars]

	1988	1989	1990	1991	1992
Authorization level	29,000				
Estimated outlays	19,227	6,960	493	58	

Basis of estimate: This estimate assumes enactment of this legislation by October 1, 1987, and subsequent appropriation of the authorized amount. The authorization amount is stated in the bill. The estimated outlays are determined by appling historic spendout rates.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO cost estimate: None.

9. Estimate prepared by: Kent R. Christensen.

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

Evaluation of Regulatory Impact

In accordance with Rule XXVI, paragraph 11(b) of the Standing Rules of the Senate, the committee has concluded that there is no regulatory impact from this bill.

Changes in Existing Law

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Arms Control and Disarmement Act, as Amended

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TITLE I—SHORT TITLE, PURPOSE, AND DEFINITIONS

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APPROPRIATION

[Sec. 49. (a) To carry out the puruposes of this Act, there are authorized to be appropriated—

[(1) for the fiscal year 1985, $23,789,000, of which amount $4,321,000 shall be available only to pay necessary expenses incurred in connection with arms control negotiations with the Government of the Soviet Union on strategic arms reductions, intermediate-range nuclear forces, and space and defensive weapons.

[(2) for the fiscal year 1986, $25,614,000, and for the fiscal year 1987, $25,614,000, of which amounts $6,146,000 shall be available in each fiscal year only to pay necessary expenses incurred in connection with arms control negotiations conducted with the Government of the Soviet Union on strategic arms re-

ductions, intermediate-range nuclear forces, and space and defensive weapons; and

[(3) such additional amounts as may be necessary, for each such fiscal year, for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foreign currency exchange rates.

Of the sums authorized to be appropriated for the fiscal year 1984 and 1985, not less than $200,000 shall be available in each such fiscal year only for the program for visiting scholars in the field of arms control and disarmament established under section 28 of this Act. Amounts appropriated under this subsection are authorized to remain available until expended.]

SEC. 49. (a)(1) To carry out the purposes of this Act, there are authorized to be appropriated for fiscal year 1988—

(A) $29,000,000; and

(B) such additional amounts as may be necessary for fiscal year 1988 for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foregin exchange rates.

(2) Of the amounts authorized to be appropriated by paragraph (1)(A)—

(A) $7,063,000 shall be available only to pay necessary expenses incurred in connection with arms control negotiations conducted with the Government of the Soviet Union on strategic arms reductions, intermediate-range nuclear forces, and space and defensive weapons;

(B) not more than $2,600,000 shall be expended by the Agency in support of the Reduced Enrichment in Research and Test Reactor (RERTR) program; and

(C) not lesss than $310,000 shall be available only for the program for visiting scholars in the field of arms control and disarmament established under section 28 of the Act.

(3) Amounts appropriated under this subsection are authorized to remain available until expended.

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TITLE III—FUNCTIONS

SEC. 131. * * *

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REPORTS ON STANDING CONSULTATIVE COMMISSION ACTIVITIES

SEC. 38. The President shall submit, not later than January 31 of each year, to the Speaker of the House of Representatives and the chairman of the Senate a report prepared by the United States Commissioner on the activities of the United States-Union of Soviet Socialist Republics Standing Consultative Commission established under Article XIII of the Treaty on the limitation of Anti-Ballistic Missile Systems. Such annual report shall be transmitted under an injunction of secrecy and shall include detailed information on all substantive issues raised by either party to the Treaty and the response of the other party with regard to such issues.

COMPREHENSIVE COMPILATION OF ARMS CONTROL AND DISARMAMENT STUDIES

SEC. 39. Pursuant to his responsibilities under section 31 of this Act, and in order to enhance Congressional and public understanding of arms control and disarmament issues, the Director shall provide to the Congress not later than June 30 of each year a report setting forth—

(1) a comprehensive list of research, development, and other studies relating to arms control and disarmament issues concluded during the previous calendar year by government agencies or for government agencies by private or public institutions or persons; and

(2) a brief description of each such study.

This report shall be unclassified with a classified addendum, if necessary.

TITLE IV—GENERAL PROVISIONS

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REPORTS ON ADHERENCE TO AND COMPLIANCE WITH AGREEMENTS

SEC. 52. * * *

(1) the President shall submit, not later than January 31 of each year, to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report prepared by the Director, in coordination with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Chairman of the Joint Chiefs of Staff, and the Director of Central Intelligence, on the adherence of the United States to obligations undertaken in arms control agreements [and on any problems related to compliance by other nations with the provisions of bilateral and multilateral arms control agreements to which the United States is a party], *on any problems related to compliance by the Soviet Union and other nations with the provisions of bilateral and multilateral arms control agreements to which the United States is a party, and on actions taken by the Soviet Union and other nations with regard to the size, structure, and disposition of military forces in order to comply with such arms control agreements*;

* * * * * * *

(3) the section of the report dealing with problems of compliance by *the Soviet Union and* other nations shall include, in the case of each treaty or agreement about which compliance questions exist—

* * * * * * *

APPENDIX

EXCERPTS FROM HEARING OF MARCH 24, 1987, WITH KENNETH L. ADELMAN, DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

The committee met, pursuant to notice, at 2:15 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Claiborne Pell (chairman of the committee) presiding.

Present: Senators Pell and Helms.

The CHAIRMAN. The Foreign Relations Committee will come to order.

We have met today to hear from the Hon. Kenneth Adelman, the Director of the Arms Control and Disarmament Agency, concerning the fiscal year 1988 authorization request for ACDA.

Mr. Adelman, I see you have a refreshingly short statement here, as well as a much longer one. I trust the longer one is to be inserted in the record. Is that correct?

STATEMENT OF HON. KENNETH L. ADELMAN, DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

Mr. ADELMAN. That is correct. With your permission I submit it for the record.

The CHAIRMAN. That will be inserted in the record in full, Mr. Adelman.

Mr. ADELMAN. Mr. Chairman, before turning to the President's request on the appropriations and the authorization for ACDA, I would like to say a word about a topic dear to all of our souls. That is Congress' broader role in the arms control process.

On more than one occasion I have pointed out that the most critical arms control negotiations often take place, not in Geneva or in Reykjavik or in Moscow with the Soviets, but right here on Capitol Hill with the Congress of the United States.

You in Congress wield a two-edged sword. On the one hand you have it within your power to strengthen our hand as we go into the negotiating and head toward the bargaining table. On the other hand you also have it within your power to tie our hands, to tie our hands in such a way as to make progress in arms control nigh unto impossible.

Right now we are entering a critical period in the arms control negotiations. I believe myself that we are closer than ever before in history to the right kind of arms control, to the kind of arms control that President Reagan originally set out to achieve 6 years ago, the kind of arms control I described to you when sitting here at this table before your hearings on the confirmation, arms control that effectively reduces weapons and reduces the risk of war.

However, there is one place on Earth where all this progress could come undone and come apart in a flash. That is here on Capitol Hill.

Mr. Chairman, negotiations with the Soviets in Geneva and in Moscow are tough enough already. Let us not make the main threat to good arms control be not with the Soviets but rather with the Congress of the United States.

The threat I am talking about lies in a whole host of measures, many of them known inappropriately, I believe, as arms control amendments.

The common thread running throughout these measures is that they can cut and limit United States defense programs, without in any serious way affecting the military programs of the Soviet Union. The common thread running through these measures is that they remove incentive for the Soviets to bargain seriously toward effective arms reductions.

I am talking about such measures as the unilateral ban on the testing of the United States antisatellite system in space, passed last year, despite the fact that the Soviets already have an operational ASAT weapon.

I am talking about the unilateral cuts in the United States program to modernize the Western chemical weapons deterrent, made after 17 years, during which the United States has produced no new chemicals, and during which the Soviets have ceaselessly produced new chemical weapons.

I am talking about the proposal for a United States moratorium on nuclear tests, which has given fresh credence to a moribund Soviet propaganda campaign on nuclear testing, and which flies in the face of the advice to avoid such moratoriums that President John F. Kennedy passed on to us over two decades ago.

I am talking about the proposal to force selective United States compliance with the expired and unratified SALT agreements, made even as the Soviets blatantly violate key provisions of those agreements.

I am talking about the cutbacks in funds requested for our SDI program, made at the time when the Soviets wished for nothing more than cuts in the United States SDI program, and at a time when the Soviets pushed forward with their own SDI efforts.

Let us be clear about this. What the Soviets want is not a world without defenses, but a West without defenses. Now on top of all this there is a move afoot that would seek to force United States adherence to a far more restrictive interpretation of the ABM Treaty than the Soviets themselves were willing to accept in 1972.

Here is the fallacy with all these measures and with similar ones as well. Congress can limit and cut U.S. programs. Congress cannot limit or cut Soviet programs. Congress cannot limit or cut Soviet programs. You can legislate unilateral disarmament. You cannot legislate bilateral disarmament or genuine arms control.

To get genuine arms control we have to negotiate effectively. And to negotiate effectively, we have to have a strong hand. Unilateral cutbacks remove every incentive for the Soviets to come to terms.

Now more than ever our success in arms control will depend on presenting the Soviets with such incentives. Much as this legisla-

tive activity rests on two assumptions, both of which are dead wrong.

The first assumption is that unilateral restraint by the United States will inspire similar restraint by the Soviet Union. The second assumption is that the administration is not serious about arms control and will get an agreement only if forced preemptively to make concessions to the Soviet Union.

The first assumption has been repeatedly disproved by historical experience. The second assumption, I would argue, has been totally refuted by recent events.

In 6 years I believe we have come a great deal further on the road to deep reductions than many people believed possible. In 6 years this President has more than amply demonstrated his willingness to go the extra mile to get a sound arms control agreement with the Soviets.

But most important, in 6 years this President has transformed the arms control agenda so that the Soviets are talking, for the first time ever, about agreements that would significantly reduce offensive nuclear arms.

Let us not throw away all this on ersatz control amendments. Let us keep arms control a non-partisan effort, and give this President the tools and the time he needs to negotiate effectively on behalf of this country with the Soviet Union.

We can do it cooperatively. We cannot do it without your support. So let us remember the wise words of your former colleague, Scoop Jackson. In matters of national security the best politics is no politics.

[The prepared statement of Mr. Adelman may be found in the appendix.]

The CHAIRMAN. Thank you very much indeed for your statement. I was interested incidentally in your article in this morning's Washington Post, setting forth a case for the new INF agreement. I concur too that our allies should support such an agreement.

I noted in the article that you mention two bottom line goals. Effective verification and equality in shorter range systems.

While we can agree that these are important matters, I hope we will keep our eye on the opportunity for agreement, which must be seized, rather than allowing problems which can be solved to become obstacles to agreement.

Recently I was in Geneva with the Senate Arms Control Observer Group, and was impressed once again by the talent and expert knowledge represented in our delegation.

I left Geneva for the first time in a good many years convinced an agreement on intermediate range missiles is within grasp. Further agreements will be possible if the Soviets will accept deep reductions and if the administration is willing to put the issue of space weapons testing and development on the table.

There is no doubt in my mind that the keys to success are right here in Washington and in Moscow, not, I am afraid, in Geneva. If the leaders are committed to success in these two capitals, it can happen that the bureaucracies will give their loyal support.

As the Director of ACDA, you can play a pivotal role in helping ensure that our side will try its best in good faith. We must do our

utmost to forge comprehensive new agreements which will get arms control back on track.

I hope that ACDA is fully and productively involved. I know this was the fitst time as I say in many years that I returned from Geneva somewhat optimistic. It is springtime and ice was starting to crack and you felt the logs about to come down the river.

Since that time, which was a few weeks ago now, I see a certain congealing of the ice and a reversal of the flow.

I would also like to say how very impressed all of us were with the work and the leadership of Max Kampelman. What is the prognosis as to, one, when he will be out of the hospital, and, two, when he will be able to get back in harness?

Mr. ADELMAN. Well, thank you very much, Mr. Chairman, for your kind words about our delegation. We are awfully proud of the caliber that we have over there and we care enough to send the very best.

Max is doing well. He had a mild heart attack over the weekend, as you know. I think he will be back at it fairly soon. The thing we have to watch is that he is not back at it too soon because we want him to be in top shape in the months ahead and there is a tendency by people such as Max to jump into work too quickly.

The CHAIRMAN. When is the next meeting scheduled to be with the Soviets?

Mr. ADELMAN. Well, the next real meeting with the Soviets we have coming up in mid-April, headed by Secretary Shultz with Prime Minister Scheverdnadze in Moscow.

Then the talks themselves will reconvene in May.

The CHAIRMAN. So probably Ambassador Kampelman will not be well enought to go to Moscow.

Mr. ADELMAN. I cannot say. I would urge caution for him because he should just have time to fully recover and everthing else.

It is good that he has no history of heart problems at all.

The CHAIRMAN. What do you see as the prospects for an INF agreement?

Mr. ADELMAN. I think the prospects are good. I think your assessment is absolutely right. We are moving down the road toward an agreement.

The only exception I would take with your opening remarks, Mr. Chairman, is that on verification of short range systems, I would take the view that we have to have those measures pretty well nailed down to have a good agreement.

We could have gotten an agreement in this area, as we discussed so many times, any time we wanted to. What we want is not just an agreement for an agreement's sake, but to have a good, wholesome agreement. And I believe on INF we can do that.

The CHAIRMAN. I would agree with you. But I think that our European allies will be very leery about onsite verification. I am curious if we do not see just as many problems persuading our European allies to permit Soviets to wander around in their territory as we get from the Soviets in permitting our inspectors to wander around in theirs.

Mr. ADELMAN. We have not had enormous problems, Mr. Chairman, convincing the European allies. We went through the verifi-

cation package with them at great length about 2 weeks ago. They had really no substantial disagreements with that package.

I think it will be a real stretch for the Soviets to agree to such a verification package. But they are talking about onsite inspection now. They are talking about glasnost. And in a sense we should help open up the Soviet Union. If that is what they want, that is what we need for good arms control.

The CHAIRMAN. How do you verify those Cruise missiles? I remember seeing that they are not much bigger than you are around and about 10 feet long. How can those be verified?

Mr. ADELMAN. Well, we could verify the production at production sites with perimeter and portal monitoring. It is not a big problem in INF because the Soviets have no ground launched Cruise missiles deployed. They only have the SS20's and the short-range systems.

The CHAIRMAN. But how do they verify us?

Mr. ADELMAN. I do not think they have any trouble verifying us. We are (*a*) willing to give them all the verification rights that we would have in the Soviet Union, and (*b*) they can check on verification in the United States by attending congressional hearings, by looking at posture statements, by just looking at our open society.

The CHAIRMAN. What is to prevent either of us from having underground supply of these weapons?

Mr. ADELMAN. Well, that is something that we worry about a geat deal with the Soviet Union, covert deployment, covert production.

The CHAIRMAN. I am sure they probably worry just as much in our case.

Mr. ADELMAN. I really do not think so, Mr. Chairman, because the open nature of our society, that if we ever covertly stored weapons or covertly deployed weapons, it would be sure to come out. I think one of the great fallacies and problems with the Iran scandal was the presumption that that kind of thing could be held indefinitely.

But I think that items tend to come out in our system, sooner rather than later, and that the Soviets realize that all they would need for good verification of our systems is a subscription to the main periodicals in the United States. They could go through that and if we were ever cheating on arms control, they could find out pretty quickly.

The CHAIRMAN. How many inspectors do you see being needed on each side to do an effective job?

Mr. ADELMAN. We estimate a ballpark figure of around 20 inspectors on the site, per site that we are going to have perimeter and portal monitoring for.

The CHAIRMAN. That would be a total of what, 100?

Mr. ADELMAN. Well, right now we would have something like 15 sites in the Soviet Union. If they got down to 33 SS20's, we would estimate something like 4 to 6 sites.

The CHAIRMAN. Would I not be correct in saying this is the first period of 6 years in recent history that has gone by where we have had no nuclear arms control agreement?

Mr. ADELMAN. Well, I would say that was probably true of the Carter administration as well. We had a SALT II agreement, but that was unratifiable in the Senate.

The CHAIRMAN. It was adhered to.

Mr. ADELMAN. Pardon me?

The CHAIRMAN. It was adhered to, though unratified.

Mr. ADELMAN. It was adhered to. It was adhered to because the levels were so high that neither side really had to do anything different under the terms of SALT II than they would have done anyway.

The CHAIRMAN. But we would agree that each 6-year period before then there was some kind of agreement in the nuclear field.

Mr. ADELMAN. But as we have discussed before, Mr. Chairman, there is no problem in just having an agreement, if that is the object of the exercise. We can have an agreement tomorrow by signing up to the Senate proposal. We can have an agreement by having the weapons systems at such a high level that either side could build to what they want.

What we are trying to do, and as I said in my statement, is have a different kind of arms contral agreement, one that really reduces nuclear weapons and reduces the risk of war. That is much tougher. That is worth the wait.

The CHAIRMAN. How many of the arms control related interagency groups do you chair, does ACDA chair?

Mr. ADELMAN. We chair the critical one on defense in space, which deals with the whole mix of SDI into the arms control element, which is the only new IG that has been established since I have been Director, with the only exception being another IG which is the IG for the Conference on Disarmament, and we chair that one as well.

The CHAIRMAN. How many interagency groups are there, of which you are a part?

Mr. ADELMAN. We are a part of 100 percent of them. We cochair the verification group called the Analysis Group of the ACVC, the initials stand for Arms Control Verification Committee. We chair the backstopping effort for instructions to the negotiators and the comments back.

The CHAIRMAN. Let me put it another way. Why are you not chairing every single one of them?

Mr. ADELMAN. Well, because in 1981 a deal was cut between State and Defense, and they decided to cochair START and INF. That is what I found when I got in the job.

The CHAIRMAN. Because when we set ACDA up in 1961, the whole idea was that you would be the elite agency in all of these groups and meetings.

Mr. ADELMAN. I have to tell you that in the 4-plus years I have been in this office, I have never felt cut out of the process. I have always had the opportunity to give my views directly to the President in person and in writing.

I met with the President in all the National Security Council meetings and planning group meetings they have had on arms control. I have been in the Oval Office with him when he has discussed arms control. I have been with him relatively alone as re-

cently as last week, discussing arms control. I have no complaints about being cut out at all, Mr. Chairman.

The CHAIRMAN. Many present and past members of the GAC I think are employees of defense contracting firms as well. Are any of the GAC members' companies receiving contract work from the agency, and if so, which ones and how much money is involved? You may want to submit the answer to this for the record.

Mr. ADELMAN. None of the present members receive any kinds of grants or money from the Arms Control Agency. There are members that are employed by defense industries that recuse themselves whenever an issue comes up which would affect anything that they would have in terms of business.

But we have pretty strict standards in this regard that have been consistent over the years in the GAC, and we adhere to those standards pretty scrupulously.

The CHAIRMAN. Could you submit for the record a list of your members who have a relationship with the defense industry and what their return is from that connection?

Mr. ADELMAN. Yes. I am not sure I can give their salaries. I do not know if it is public or not. But I can tell you the relationship.

[The information referred to follows:]

> The following list identifies our current GAC members that have a relationship with the defense industry:
>
> Rolands F. Herbst—R&D Associates
>
> Francis P. Hoeber—Hoeber Corporation
>
> Charles B. Marshall—Systems Planning Corporation
>
> Jaime Oaxaca—Wilcox Electric, Inc., a wholly owned subsidiary of Northrop. Mr. Oaxaca is concurrently President of Wilcox Electric and Vice President of Northrop.
>
> Harriet F. Scott—Consultant on Soviet military and political-military affairs
>
> None of ACDA's GAC members receive remuneration through this affiliation.

The CHAIRMAN. Thank you. Another question in connnection with the general advisory committee, how many times a year does it meet?

Mr. ADELMAN. It has met 25 times since 1981. We had a meeting last week I know. It means roughly four to six times a year.

The CHAIRMAN. And roughly what is its cost per annum?

Mr. ADELMAN. A little less than $200,000 a year.

The CHAIRMAN. Has the GAC played any role in the formulation of arms control policies?

Mr. ADELMAN. Yes. I think they have been very helpful in giving advice. The first few years they did a study that was quite impressive on the whole question which is the major question in arms control, the Soviet non-compliance to existing arms control agreements.

They did a historical work and a contemporary work on that that very much contributed to the Senate's own efforts in passing legislation requiring the administration to report on Soviet violations each year. We have your legislation as well on answering

Soviet charges on their accusations against our cheating on arms control.

So they did that for a good number of years. Right now they have been quite helpful in the general subject of defenses and offenses, melding in SDI into arms control policy.

The CHAIRMAN. Thank you. I am glad that you feel we can get somewhere in INF. How would you assess prospects for significant arms control agreements in the remainder of this Administration's term in the next two years?

Mr. ADELMAN. I think with INF we are on the verge of getting something that would be quite exciting in arms control, and getting a good agreement.

The CHAIRMAN. No, I am talking about beyond INF. Do you see any progress?

Mr. ADELMAN. Beyond INF I think it will be tougher sledding. I think that on START we have the outlines of a good agreement with our 1,600 strategic nuclear delivery vehicles agreed to by us and the Soviets, 6,000 nuclear weapons in certain categories.

We have the sublimits, as we call them, the main areas that we are concerned about which the Soviets are considering right now. But they have held that hostage to killing SDI. And unless they delink that from SDI, or at least come up with some kind of compromise on that issue, then we are not going to have an agreement in those areas.

The CHAIRMAN. Do you not think that to have any kind of agreement, you have to put into the mix both offense and defensive weaponry?

Mr. ADELMAN. Yes. That is what we have done in Geneva. We have spent endless hours, as you know from being there, we have spent endless hours with the Soviets talking about the relationship between offense and defense.

The CHAIRMAN. I am delighted to say the ranking minority Member has come, and I defer to Senator Helms.

Senator HELMS. Mr. Chairman, I thank you very much. I find it difficult, as I know you do, to be two places at one time. I am supposed to be managing legislation on the floor with reference to the cloture. But anyhow, we are here and we will move rapidly.

Ken, how about describing for me the ACDA general counsel's most recent legal analysis of the ABM Treaty.

Now what I would like for you to address in particular are questions like, did the key substantive judgments of this analysis leak to the press, even though the analysis was classified? And how did these key judgments get to the press?

Did the general counsel in fact brief the press on this matter? And do these key judgments contradict the administration's, what I believe to be, legally correct, broader interpretation of the ABM Treaty?

Mr. ADELMAN. Thank you, Senator Helms. You and I agree on the substance of the issue on the legally correct, broader interpretation of the ABM Treaty, and I would love the opportunity to go into that if the committee would like.

The memorandum you are asking about, I have written you a letter on that, and basically this was a compilation from our gener-

al counsel's office of relevant statements in the record of subsequent practice under the ABM Treaty.

I asked the general counsel and Ambassador Nitze asked the general counsel to compile these statements so that we would have a full record to go through. That was done.

It was later learned in the press that this was an issue, that subsequent practice was an issue. I do not believe myself for a moment that the material that was in the general counsel's memorandum was actually in the hands of the press. I believe that knowledge about that memorandum was known to the press.

Nor do I believe for a moment, Senator Helms, that that memo had any bottom line or any interpretation on whether this evidence supported the administration's position or did not. It was merely a compilation of the material.

So, *(a)* I do not think it leaked to the press otherwise the press would have used the articles and the memorandum in its stories which Michael Gordon's story did not, *(b)* the memorandum itself did not come to any conclusions on the broad and narrow interpretations.

Senator HELMS. Well how do you account for the fact that Judge Sofaer complained in writing to the Secretary of State that the key substantive judgments of the ACDA general counsel's most recent classified legal analysis of the ABM Treaty were in fact in the hands of the New York Times?

Mr. ADELMAN. Well I think they were not in fact in the hands of the New York Times. I think that the memorandum did not have any judgment to it. And I have seen the memorandum. It was a compilation of the records.

Senator HELMS. You are saying that the Judge just misstated it.

Mr. ADELMAN. I have not seen the Judge's writing to the Secretary saying that *(a)* the memorandum ended up in the press's hands or *(b)* that the memorandum actually had a bottom line to it.

Senator HELMS. Well let me read it to you. Mr. Chairman, with your permission I would like for the entire memorandum to be made a part of the record after Mr. Adelman responds.

The CHAIRMAN. Without objection.

[The memorandum of Judge Sofaer appears in the appendix.]

Senator HELMS. I thank the Chair. I will not read it all, since I have just put it in the record. But he says in the second paragraph of his memorandum, dated Febraury 2, 1987, "I was called by Michael Gordon of the New York Times last week who asked me about this memo before the memo had reached my office."

Mr. Gordon knew at least two of the exchanges referred to in the memorandum, both of which are classified. Now, I know you are telling it as you believe it to be. I am not accusing you of covering up anything.

But there is a distinct difference between what the Judge says, then he goes on to say in the last paragraph of the memorandum, "Indeed I had a discussion with Tom Graham only about 10 days ago and thought we had agreed to exchange drafts on the subject to see if we could agree on a joint memorandum."

I mention this effort to work together constructively to Ken Adelman and expected to have an opportunity to demonstrate that

this issue could be handled at a professional rather politically biased manner.

Instead the ACDA memo will inevitably suggest that the subsequent record demonstrates virtually conclusive support for the narrow view, when the record is much more balanced and the legal issues much more complex than the memo suggests.

Mr. ADELMAN. Let me address myself to that. On your first reading, Michael Gordon asked Judge Sofaer about the memorandum because it was generally known that we had asked the general counsel to compile the information.

That is the only way that we can go through the information, if someone goes through the records and looks at everything that was said about what the ABM Treaty meant. So that was widely known.

I think it is inexcusable that people go and blabber to Michael Gordon about what goes on in the Executive Branch, but that is an old tradition that I think a particularly odious one. On the conversations which are classified, I believe that is true too.

I believe those kinds of conversations that are classified were widely known by hundreds of people in the State Department, the Defense Department and ACDA and elsewhere, because those are the conversations that people started to focus on, on what the ABM Treaty meant or did not mean.

They did not come out of the memorandum. It was widely known that these kind of conversations between us and the Soviets on the meaning of the ABM Treaty had been conducted.

I believe it was a professional manner in which the information was compiled and I would just reassert to you, Senator, that the ACDA memo came to no conclusions one way or the other on the appropriateness of one interpretation or antoher on the ABM Treaty.

Senator HELMS. So you do not believe that the Judge was legitimate in his complaint in writing that the ACDA general counsel has previously fought and undercut the administration's legally correct, in my judgment, broader interpretation of the ABM Treaty? You do not believe that is accurate?

Mr. ADELMAN. That is correct.

Senator HELMS. Is that accurate?

Mr. ADELMAN. Yes sir, it is not accurate because, your statement is correct. What the general counsel of ACDA did is to lay out the information.

Senator HELMS. I am trying to establish in my own mind, and you stop me when I have gone on too long, Mr. Chairman. What you are saying in effect is that the New York Times reporter, whoever he was——

Mr. ADELMAN. Michael Gordon.

Senator HELMS. Michael Gordon, just took what you described as common knowledge and threaded it together and presented it as fact. He did not see the memorandum.

Mr. ADELMAN. He knew that this was an issue because it had been widely discussed in the administration. He knew that the issue revolved around some conversations since the ABM Treaty was ratified with the Soviets.

Third, he knew that Tom Graham had been assigned to compile all these statements and associated statements so we could look at the record ourselves. Those three things he knew.

Senator HELMS. Well, somebody talked to the New York Times.

Mr. ADELMAN. I agree with that. Absolutely.

Senator HELMS. You said a number of folks in the State Department knew information.

Mr. ADELMAN. Very many knew it.

Senator HELMS. The Defense Department, your shop, others perhaps. We have a sieve here, do we not?

Mr. ADELMAN. It is terrible. I make no excuses about it. It is obnoxious. If I ever found anybody doing it in ACDA they would be on the doorstep the next morning.

Senator HELMS. Well let me ask you this then. This is a hypothetical question. Suppose someone in your shop, we will not talk about the general counsel, just anybody in your shop, suppose you found them leaking information?

Mr. ADELMAN. I would kick them out. I would kick them out. It is against the law.

Senator HELMS. Have you made that know?

Mr. ADELMAN. Yes I have.

Senator HELMS. To your personnel?

Mr. ADELMAN. Yes I have. I have said that at staff meetings time and time again. I think it is inexcusable what people do with the government's secrets.

Senator HELMS. Mr. Chairman, you can see the concern I have. It can be any issue. It can be any kind of information, some of which could be perilous to this country if it were leaked.

I am not saying that this is a fatal occurrence, but it is certainly a significant one and somebody is trying to undercut the President of the United States. And yoy say you do not know who it was.

Mr. ADELMAN. That is correct.

Senator HELMS. Do you have any suspicion about who it might be?

Mr. ADELMAN. My suspicions, not by name, but I now that a lot of people do not support the President's finding that the broad interpretation was fully justified on the basis of the record.

Senator HELMS. Wherever they are, whoever they are, and whatever department they are, do you feel, Mr. Adelman, that they ought to be dismissed?

Mr. ADELMAN. Yes.

Senator HELMS. I certainly agree with you.

Mr. ADELMAN. I think if they leak information, they should be dismissed. If they disagree on the recommendation that I make to the President, and I made an explicit recommendation in October 1985, when the issue first came up on the broad interpretation, if they disagree with that, I do not mind them telling me why they disagree and discussing that issue.

I do not think they should be fired for disagreement. In fact I appreciate the fact that somebody would be straightforward enough instead of undercutting me to go up and say, no I think you are wrong and talk about the issues and let me give a counterargument and then I have to come to my own judgment.

But I think to go and to wage the battlefield somewhere else in the press or something is inexcusable.

Senator HELMS. I certainly agree with that. I myself on my own staff I make clear to everybody associated with me that I do not want any yes men around. I want them to say, no your conclusion is wrong.

But I expect them not to run out on the street and tell everybody what the discussions have been and what the probabilities of decisions may be. I do not see how you can conduct a policy of any kind, whether it be foreign policy or arms control or whatever, if everything is going to end up on the front page of the New York Times and on CBS, NBC, and ABC.

Mr. ADELMAN. If I may say, I totally agree with your groundrules, Senator. The most egregious faults in this area lie of course with intelligence information.

I mean I get disturbed by conversations like this between the American negotiator and the Soviet negotiator on what the ABM Treaty means. I do not get disturbed from a security point of view because obviously the Soviets were right there. They took their own notes. They know the record as well as we do.

But intelligence information that comes out is leaked by the executive or by Congress, by whoever, on our capabilities, that is a danger to our national security.

Senator HELMS. I agree. Thank you, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you, Senator Helms. I must say that in my years here I have seen I think more leaks coming out of the executive department than the Congress. I think we have had a pretty good record and I think this committee has had an excellent record in that regard.

I have noticed one thing that all those who think that we should have a narrow interpretation of the treaty are also those who want to move perhaps more quickly with regard to arms control, or those who like the broad interpretation seem to be a little more reticent about moving in that direction.

I sort of am inclined to think that, as with so many treaties or agreements, they are made in such a way that lawyers can make good cases on both sides. But I have not seen any example yet of any individual who believes in the narrow interpretation who does not also believe that we should speed up our arms control methods.

So let us leave it that this was a very interesting treaty negotiated in the times of Henry Kissinger. I remember how he used to negotiate so that each side felt that they had said something a little bit different.

As a result they were able to go down the road a bit until a time came to interpret it. That is where we are now.

Mr. ADELMAN. Mr. Chairman, if I could just address myself to that and make two points.

No. 1 is the presumption of those who like the narrow interpretation thinking this is good for arms control. I think it is a very difficult thesis to prove. We have said that the narrow interpretation was wrong, that the broad interpretation was correct in October 1985.

Since that time there has been more progress on arms control than there had been the 6 years before that. So you would think if

that thesis has any merit to it at all, the Soviets would clam up, shut down shop, and goodbye to arms control. Just the opposite has taken place. So I do not think that that thesis holds water.

The second point that I would make is that I would see the dividing line a little differently. I believe that those who are interested in the broad interpretation, which I believe is legally correct, are those who are most interested in testing the proposition, will SDI work.

I do not myself believe that you can test that proposition, answer the question, will SDI work, without going to the broad interpretation. Let me just give you an example.

If you would walk into an auto sales room and have the sales representative tell you, "Look, Mr. Chairman, at all the parts on the floor. That is the car you are interested in buying. Let me show you the motor. The motor can go 130 miles an hour but it has only been tested at 60 miles an hour, because we have not been allowed to test any further than that."

"The brakes will work at 150 miles an hour, but they have only been tested at 75 miles an hour." And on and on and on through the parts. Nothing has been tested at full scope. Everything has been tested down. "And further, Mr. Chairman, it has never been all put together. But let me assure you that it would all fit together perfectly. I will show you the computer plans."

Well, you would never buy an automobile on that basis. No one in their right mind would buy a car on that basis. And I do not think the country in its right mind should buy an SDI program on that basis.

We should see if there is a way to defend this country against incoming ballistic missiles. I do not believe, with toned-down experiments, you can get either the money to do that or the experiments to do that.

So, I think that in order to preserve the ABM Treaty as long as possible and in order to see if SDI will work, you need to go to the broad interpretation.

The CHAIRMAN. I appreciate the thought. I am not sure I agree with it, but it is an interesting thesis.

Going to a more specific question here. Excluding spending for a reactor research program, I think I am correct in saying that your research funding has declined from nearly $4 million in 1980 when you took over to a proposed $735,000 next year. In other words gone down to one-fifth.

Do you believe that that indicates adequate external research for ACDA?

Mr. ADELMAN. Well obviously everybody would like to do more than they have. But what we have done is a different philosophy, Mr. Chairman. We have brought a lot of the research within in-house, rather than out-house. We have found it a lot more productive to have staff in ACDA do the kind of research that we do.

For example, just recently we did a big program looking at the effective sublimits on START. How would we get a handle on Soviet forces through the strategic arms control agreement? What kind of limits would we really want?

We had tremendous computer capability and everything. That kind of research years ago would be at a greater expense to the

taxpayer shipped out. It would take us a lot longer to do. It would be a lot more cumbersome and would not really address the issues I wanted to have addressed. Here we did it all within house.

So I think it is a better system. I know I earned money from 1977 to 1981 by doing contracts with the Government, research with the Government. I know it is a lot more productive to have it done within the Government, being the recipient of this great fund.

The CHAIRMAN. In 1983 Congress established at my initiative, the program known as the Foster Visiting Scholars Program. How many of those foster scholars do you have this year, and what is the prognosis for that program?

Mr. ADELMAN. I think the prognosis is good. We have found that the scholars have contributed a good deal to us over the years. Because of budgetary problems we have had the numbers go down. We have two on board now and four are planned for next year.

The CHAIRMAN. Finally, as you know this committee reported out the Limited Nuclear Test Ban Treaty and the Peaceful Nuclear Explosions Treaty, along with a resolution. The treaties, we reported them out, had the exact same language on verification the Administration had originally proffered to us, but our version did not required a second ratification.

I cannot for the life of me understand why the administration is not getting behind these two treaties and pushing for their ratification. Could you explain that to me?

Mr. ADELMAN. Well let me just answer that. I was with the President at Beykjavik when this whole compromise came up and it seemed to me strange at the time, let me speak personally and straightforwardly to you, it seemed to me very strange at the time that the Senate would be interested in ratifying treaties when they did not see the whole language involved in these treaties.

In other words, we had been saying for 6 years we need better verification for these treaties. We had been asking the Soviets to negotiate better verification measures with us. The Soviets have said, nyet, for 6 years.

We have had discussions with the Soviets on this issue, and we are not about to show language because we have no language that the Soviets have agreed to on these two treaties.

I think a more complete way is to get not only the provisions of the treaties but also the verification provisions and then ratify the whole package at once.

The CHAIRMAN. As you know, what we did was to say we would accept a certification from the President, our President, as to effective verification had taken place. This was not without precedent to accept a treaty ratified on this basis. I think it is more up to us to judge what the Senate will accept than up to you, the executive branch.

You still have not answered my question. Why have you not pushed, as we, including Senator Nunn, understood would be the case at the time of Beykjavik? Why will not the administration get behind these two little treaties?

Mr. ADELMAN. We go behind those two treaties. The President sent them up there. We had a provision for the two ratifications.

The CHAIRMAN. It is not your business to have the double ratification. That is up to us. The treaty was passed by us with a single

ratification in your own language. What is the objection the administration has to that, specifically?

Mr. ADELMAN. I do not know of any objection the administration has to that.

The CHAIRMAN. Well then why are we not moving forward with these two treaties?

Mr. ADELMAN. As I understood from Senator Byrd's letter, it is because he does not think he has the votes to ratify them.

The CHAIRMAN. And the reason he does not have the votes is because the administration will not be supportive of them, as we had understood, and Senator Nunn understood, would be the case prior to Reykjavik. He is not going to bring forward, in my view and should not, unless that support is there because otherwise they cannot move.

Do you see the administration getting behind them?

Mr. ADELMAN. Well, the President has discussed this matter with Senator Byrd and Senator Dole and others, and explaining why we thought either the two ratification approach or some other approach like that was awfully important.

Let me just tell you from my perspective, Senator. From my perspective I would not want to be Director of ACDA and have the Senate ratify a treaty that was unverifiable, or without proper verification.

The CHAIRMAN. This is not unverifiable, because we accept the President's certification to that effect.

Mr. ADELMAN. Well, we do not have that verification right now with the Soviets. The Soviets have not agreed to it.

The CHAIRMAN. The treaty does not go into effect until we get the certification from the President, so I think we are dancing around the head of a pin here. But I would hope that the administration could see this as a little step, good faith effort to move ahead.

Mr. ADELMAN. As I understood from your position, Mr. Chairman, and the committee's position, was to vote out also the Evans-Kassebaum amendment which says we should try very hard with the Soviets to get better verification.

The CHAIRMAN. Both were reported out on the excellent suggestion of the ranking minority Member to resolve a parliamentary problem at the time. Now they are on the calendar, but there is no further movement. So I would hope that the time would come when you could get behind them.

Mr. ADELMAN. Would it be fair to say, Mr. Chairman, that because both were voted out of the committee that there was no clear signal from the committee to go ahead and ratify both of them right now? Would that be a fair assessment? That is the impression I get.

The CHAIRMAN. Could you repeat that?

Mr. ADELMAN. The fact that you vote the treaties for ratification at the same time you vote out a resolution backing the President to get greater verification and not ratify the treaties yet, is no clear signal from the committee that you want to proceed on ratification quickly.

The CHAIRMAN. No, you are absolutely correct in saying that.

Mr. ADELMAN. That is contradictory.

The CHAIRMAN. But I think that was straightened out by a conversation between the leadership of the Senate and the White House. But that may be beyond both you and me at this time.

I have no further questions.

Senator HELMS. I think, Mr. Chairman, it is a question of who has got the votes, which is generally the compelling question around this place. I think I know who has got the votes on the two propositions and that may have something to do with there not having been any action on them.

Let me revisit just 1 minute, Mr. Adelman. Do I gather from your previous responses that you are pretty well satisfied with the security procedures at ACDA?

Mr. ADELMAN. I think they can be improved and that is why I invited a team of experts from various agencies of the government to do a zero-based scrub of ACDA in looking at the security procedures. I think they can be improved.

Senator HELMS. I am not saying——

Mr. ADELMAN. I want them as high as they can be in government.

Senator HELMS. It is a fact that the National Security Agency did prepare a classified critique of ACDA.

Mr. ADELMAN. At our invitation, that is right. At our invitation we asked them to do that.

Senator HELMS. Have any other agencies been critical of your procedures?

Mr. ADELMAN. We had a team coming in with State Department, CIA, NSA and other parts of this community to look at ACDA, have access to anything that we had, people that we had, to tell us how to improve that.

They came up and I met with them about 2 weeks, they came up with a list of recommendations that seemed to me very sound. And I said, let us do them. If there is any problem in implementing any of these, I want to know about them. Because I want this place to be an example for Government, and not just to be the average of Government.

I think generally Government, the executive branch, is pretty lousy in these procedures. I think that ACDA can be a lot better and I want them to be better.

Senator HELMS. Fair enough. Mr. Chairman, thank you very much. Thank you, Mr. Adelman.

The CHAIRMAN. Thank you, Senator Helms. And I would ask that the record be kept open for any questions by other Members.

This ends this session. This hearing is adjourned.

[Whereupon, at 3:05 p.m., the committee adjourned subject to call of the Chair.]

APPENDIX

Prepared Statement of Kenneth L. Adelman

Mr. Chairman, it is once again a privilege to appear before you and the Foreign Relations Committee. We look forward to continuing our work with you and the other Members of this Committee. In September, 1986 the Arms Control and Disarmament Agency celebrated its 25th anniversary, an event made important not by the existence of our organization, but by what it represents, a commitment by the most powerful nation on earth to seek a more stable and peaceful world through the reduction of arms. That commitment, now more than a quarter century old, has been renewed by the Congress through your sustained strong interest in ACDA and the support this committee consistently demonstrates for ACDA. We never forget that our institutional existence is itself the result of the ideas and work of the Congress.

The President's FY-88 budget request for ACDA is set at $32,700,000, at a time when our principal Geneva negotiations and other talks with the Soviets are in progress. The promise of Reykjavik, which has given us a vision of a world with significantly reduced levels of nuclear weapons, has become an indicator of what is possible.

As you know we have been engaged in those efforts at the Geneva Nuclear and Space Talks (NST) since March 1985. The NST negotiating activities involve a tremendous workload across all of ACDA but especially for the Bureau of Strategic Programs. The Assistant Director for Strategic Programs, Michael Mobbs, has led the staff of the Strategic Programs Bureau

and other elements of ACDA in intensive preparation for, participation in, and support of these talks. The Strategic Programs Bureau represents ACDA in the interagency groups that support the Defense and Space, START, and INF negotiations. The Strategic Programs staff also prepares extensive political and technical analyses in support of policy decisions in Washington. In order to enhance this support, a third division devoted exclusively to Defense and Space issues was created within the Strategic Programs Bureau in 1986.

In addition, ACDA contributes representation and organizational support for the NST negotiations in Geneva -- all of which add considerably to the ACDA workload. The chief negotiators for the three groups of the NST and their immediate staffs are supported by ACDA, and the Executive Secretaries for the Defense and Space group and START group are ACDA employees as well. We also provide an expert representative to each of the three negotiating groups: START, INF, and Defense and Space. In addition, ACDA provides secretarial support for the ACDA contingent and the translators. ACDA also chairs the interagency group on Defense and Space and the interagency backstopping groups which provide primary substantive support to the U.S. START, INF, Defense and Space, and SCC delegations. The continued support needed for this level of activity is reflected in this statement.

Before we begin detailed discussions of ACDA's requirements, I would like to review some recent developments in arms control.

In my view, Mr. Chairman, last year was one of the most successful ever in the field of strategic arms control. This statement might seem curious to some. After all, our work came to no conclusion in 1986; no agreement was reached, no final documents were signed, nowhere did the Soviets guarantee that they would ultimately meet us halfway on a number of remaining critical issues. So why was 1986 such a relative success?

The answer is really quite simple: at no other time in the nuclear age has arms control come closer to addressing our central strategic concerns. In the past, strategic arms agreements have set high weapons ceilings that essentially codified arms growth. The less stable features of the strategic balance in this way, unfortunately, were preserved rather than altered.

In contrast, President Reagan's persistence over the past six years has paid off in a real shift -- forward -- in the arms control agenda. Now, for the first time, the two sides are talking about nuclear arms control agreements which if ratified and complied with fully would effect real and deep reductions in offensive nuclear arsenals, particularly in the most destabilizing systems. Thanks to his determination the agenda in arms control is now irreversibly tied to deep offensive weapons cuts. Never before in nuclear arms control have we been able to say that.

Specifically:

--In our talks on intermediate-range nuclear forces, or INF, the recent proposal by General Secretary Gorbachev returns to the position put forth by the United States. In earlier discussions, we and the Soviets had agreed to eliminate entire U.S. and Soviet longer-range INF missile warheads in Europe and to limit worldwide deployments to 100 warheads on each side, with Soviet missiles deployed in the Asian USSR and U.S. deployments limited to U.S. territory. We have also agreed in principle on several aspects of a U.S.-proposed effective verification package that would include a comprehensive exchange of data before and after reductions, on-site inspection of the elimination of weapons, and effective on-site monitoring of remaining systems and associated facilities. At this time we have tabled a draft treaty which we believe provides the basis for negotiating an INF treaty. However, there is still hard work ahead. The United States' two bottom line concerns -- assurance of effective verification and equality in shorter range systems -- must be resolved satifactorily. Those concerns are critical to the satisfactory negotiation of an INF treaty. Insuring that those concerns are resolved is the task before our negotiators now.

--In our talks on strategic arms reduction, or START, agreement in principle has been reached on a reduction of 50 percent in strategic offensive arms in five years to equal levels of 1600 strategic nuclear delivery vehicles and 6000

strategic nuclear warheads. We have also made progress toward resolving some of the more complex problems in START. We have agreed on how to count heavy bombers that carry gravity bombs and SRAMS, a long-standing point of contention. Each such bomber will count as one warhead in the 6000 limit. In addition, the Soviets have agreed to significant cuts in Soviet heavy missiles, and both sides have agreed to seek mutually acceptable terms to the question of limiting deployment of nuclear-armed sea-launched cruise missiles, or SLCMS, and to keep SLCMs separate from the 1600 and 6000 limits. Substantial challenges remain, however. For example, while the Soviets agreed at Reykjavik to discuss the critical issue of sublimits their position has since hardened. And the Soviets continue to hold START hostage to their position in the Defense and Space negotiating group.

Important differences exist in those negotiations. The United States has proposed that, in conjunction with a ten-year agreement not to deploy advanced strategic defenses while conducting strategic defense research, development and testing which are permitted by the ABM Treaty, the two sides eliminate all offensive ballistic missiles by 1996. The Soviets have rejected this offer.

The Soviets are insisting instead that all strategic offensive weapons be eliminated by the end of that ten-year period, knowing full well that presently there is no alternative to nuclear deterrence. The elimination of nuclear weapons is a

goal that must be seen in the context of a time when there is, among other things, greater balance in conventional forces, an effective global ban on chemical and biological weapons, and insurance against non-compliance.

The Soviets are also insisting upon constraints more restrictive than those contained in the ABM Treaty; the Soviet-proposed constraints would effectively cripple the SDI program. We cannot accept this, particularly in light of the Soviets' own active research program on strategic defenses. The Soviet terms would also prohibit much of the U.S. strategic defense research now permitted by the ABM Treaty. The President intends to pursue a vigorous SDI research effort as permitted by the ABM Treaty, both as an investment in, and insurance for, a safer and more stable strategic balance.

As you know, when we embarked on our SDI research, President Reagan made the commitment that this program would be conducted in full compliance with our treaty obligations. He directed, from its inception, that this program be planned to meet that commitment, and we have done so. In October 1985, the United States completed an extensive review of the ABM Treaty and the associated negotiating record which led President Reagan to conclude that a broader interpretation was fully justified. Since October 1985, we have continued to review various other records and data on this subject. Based on the work completed, we remain convinced of the correctness of the conclusion that the President reached in October 1985 that a broader interpretation of the ABM Treaty is fully justified.

The year 1986 also saw a series of additional high-level

arms control contacts outside of the NST forum. In August and then again in September, a group of high level U.S. and Soviet arms control experts met, first outside Moscow, then in Washington, for wide ranging discussions on nuclear and space issues. In both cases the U.S. team was headed by Ambassador Paul Nitze. In October, President Reagan and General Secretary Gorbachev met to discuss the spectrum of issues in Reykjavik, Iceland. Historic progress in arms control was made; for the first time, we were able to engage the Soviet Union in serious negotiations -- not just posturing, but serious, hands-on negotiations -- on the subject of deep reductions in offensive nuclear arms. In November, the same high-level U.S. team that had accompanied President Reagan to Reykjavik met with Soviet negotiators during the meeting in Vienna between Secretary Shultz and Foreign Minister Shevardnadze. Finally, in December, our chief arms control negotiators met with their Soviet counterparts in a special session in Geneva for four days of intensive talks.

Negotiating with the Soviets is never easy. The best we can do is put forth fair, equitable proposals, bargain honestly but firmly, and encourage the Soviets to be equally forthcoming. Throughout, we must remember that the purpose of the negotiations is to assure a safer world and enhance the security of the United States, not to achieve an agreement as such. Beyond that, we cannot force the pace of the negotiations. Regarding Soviet intransigence with unilateral concessions -- "arms

control by example" -- has never succeeded and most certainly will give the Soviets less reason to engage in genuine give-and-take.

While Soviet tactics of delaying and backtracking on their positions are not new or unexpected, they underscore the need for patience. The Soviets take the long view, often attempting to get their way by trying our patience, believing that a democracy cannot hold firmly to a position even if it is known to be right. The key to success therefore, does not lie in quick fixes. Rather, it lies in our ability to bargain fairly, steadfastly, and to insist that arms control squarely addresses our security concerns and those of our allies. We must, in short, continue with the approach that has brought us this far. It is the only approach that works.

In addition to the Nuclear and Space Talks, ACDA supports the Standing Consultative Commission, or SCC, the bilateral U.S.-USSR commission established in 1972 pursuant to the ABM Treaty and SALT I Interim Agreement. ACDA provides the U.S. component of the commission a Washington base of operations and plays a leading role in interagency preparations for the SCC sessions by chairing the SCC backstopping committee. In addition, ACDA provides the Executive Secretary and members of the advisory staff to the U.S. component of the commission during its sessions in Geneva.

During 1986, the Commission met three times in Geneva to discuss compliance issues of concern to the two sides. Two

were regular sessions, while a third, held from July 22 to July 30, was a special session requested by the Soviet Union. The purpose of the session was to respond to Soviet questions and concerns about President Reagan's May 27 decision on SALT, and to hear Soviet responses to our concerns about Soviet non-compliance with the SALT agreements. The United States also took that opportunity to renew President Reagan's call for the Soviet Union to join us in establishing an interim framework of truly mutual restraint pending conclusion of an equitable and verifiable agreement for deep reductions in offensive nuclear arms.

We also had in 1986, two meetings in Geneva with the Soviets on establishing nuclear risk reduction centers; that effort is continuing in 1987.

ACDA plays a leading role in the U.S.-Soviet expert talks on nuclear testing which began last year. The Agency's Assistant Directors for Verification and Intelligence and for Multilateral Affairs both provide experts for the U.S. delegation.

In the area of multilateral negotiations, ACDA heads the U.S. delegation to the 40 nation Conference on Disarmament (CD) in Geneva. ACDA's Assistant Director of Multilateral Affairs, Lynn Hansen, chairs the interagency group which provides policy guidance to the U.S. delegation. This year ACDA also is requesting funds which will provide full administrative support to the CD delegation. Previously this responsibility was shared between State Department and ACDA.

ACDA also heads the U.S. delegations to the UN Disarmament Commission, to the UNGA First Committee which deals with arms control issues, and to the NATO Disarmament Experts meeting, held twice a year in Brussels.

ACDA plays a key role in the negotiations in the CD on the United States' proposal for a comprehensive chemical weapons ban. In accordance with the agreement between the United States and the Soviet Union at the 1985 Summit, U.S.-Soviet bilateral negotiations continue this year on an intensified basis. Also, pursuant to a Summit initiative, the United States and the Soviet Union continue to engage in bilateral discussions on the proliferation of chemical weapons. In addition, ACDA is actively involved in consultation with other Western countries on measures to curb the spread of chemical weapons.

ACDA also has the lead in preparing for and participating in an international experts meeting in April to elaborate on a package of supplementary stabilizing measures which were agreed to last year at the Second Review Conference of the Biological and Toxic Weapons Convention.

The agency is also represented on the U.S. delegations to the Mutual and Balanced Force Reductions (MBFR) talks in Vienna, to the new informal discussions between NATO and the Warsaw Pact on a possible mandate for new conventional force reductions talks, and to the Conference on Security and Cooperation in Europe (CSCE), which is currently holding its third Review Conference.

ACDA participates actively in developing and implementing policies that seek to prevent the spread of nuclear weapons to additional countries. The possible spread of nuclear weapons poses serious risks to U.S. security interests and the prospects for world peace. ACDA's Assistant Director for Nuclear and Weapons Control, Dr. Lewis Dunn, plays a key leadership role in this area, together with other senior U.S. officials. ACDA's involvement in this is of course continuous and will extend beyond FY 1989.

The 1970 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is central to these efforts. The NPT was endorsed at its 1985 review conference as vital to the security of all nations. Since that conference, five more countries including North Korea have joined the NPT making a total of 135 countries which are parties to the NPT. ACDA continues to have the lead within the executive branch in overseeing implementation of this treaty. ACDA's active efforts include both promoting additional adherence and monitoring the programs and policies of countries of proliferation concern. Preparations for the 1990 NPT review conference will need to begin in FY 1988.

An important example of regional non-proliferation initiatives is the 1967 Treaty of Tlatelolco under which 23 Latin American nations have pledged not to acquire nuclear weapons. The United States strongly supports this treaty and ACDA continues to lead U.S. efforts to expand it to all nations of the region.

In another international non-proliferation and nuclear control venture, the International Atomic Energy Agency (IAEA) plays a significant role through the development and implementation of measures designed to guard against diversion of nuclear material to military uses. It also is concerned with physical protection and other safeguards for plutonium to assure that increased use of plutonium as a nuclear fuel will not increase either proliferation risk or hazards from terrorists. U.S. support is key to the success of the IAEA effort. Here again, ACDA takes the lead. In that vein, ACDA oversees a substantial effort to improve domestic and international nuclear export control, particularly over exports which have both nuclear and non-nuclear potential. We are working to enhance the U.S. Government's ability to prevent illegal diversion of U.S. origin goods on behalf of foreign nuclear programs. An important element of this effort to prevent the spread of nuclear arms is the continued effort to reduce international commerce in highly enriched uranium (HEU) reactor fuel, a material which -- like plutonium -- is usable in nuclear weapons. In support of this policy, in 1979, the executive branch established the Reduced Enrichment in Research and Test Reactor (RERTR) program. In FY 1987, funding and oversight for that program was transferred from the DOE to ACDA. We are asking for FY 1988 funding to continue this effort. Because of this program, we expect by 1990, a substantial reduction in the need for HEU fuel.

ACDA, as you know, has been mandated by the Congress to advise the executive branch on the extent to which conventional arms transfers or military assistance will contribute to an arms race, increase the possibility of outbreak or escalation of conflict, or prejudice the development of bilateral or of multilateral arms arrangements. This involves advising on the arms control implications of about 1500 requests or license applications per year as well as assuring that arms control implications are considered in the development of annual security assistance programs.

For the security of our nation, arms control verification and compliance are of the utmost importance. If we are to achieve real reductions and arms control, we must have confidence in the results of the negotiated agreements. Such confidence is not possible without verification and compliance measures which permit us to determine whether the Soviets abide by their commitments. The United States Government has carefully documented a continuing pattern of Soviet violations of arms control agreements. Soviet non-compliance is a serious matter. It calls into question important security benefits from arms control, and could create new security risks. It undermines the confidence essential to an effective arms control process in the future.

In this critical area of verification and compliance, Dr. Manfred Eimer, ACDA's Assistant Director for Verification and Intelligence, Co-chairs the Arms Control Verification

Committee Analysis Group which prepared the recent reports to Congress on Soviet non-compliance with existing arms control agreements. Thus far, four Presidential reports on Soviet non-compliance have been forwarded to Congress in both classified and unclassified versions. In addition, we are the lead agency in preparing another Congressionally-mandated report, "Adherence to and Compliance with Agreements" which examines U.S. compliance within arms control obligations. We are also conducting a number of studies to improve the verification of future agreements. These studies have provided key inputs into the development of the verification measures for treaties in START and INF. ACDA is working with other agencies on incorporating these measures into draft treaties to reduce the verification uncertainties in the future. While the executive branch is attempting to increase its research efforts in order to strengthen verification techniques, this has proved to be a difficult program to fund given existing commitments. ACDA will, nevertheless, make a strong effort to include this in its external research program.

As regards verification for nuclear testing and peaceful nuclear explosions, the U.S. position has been and continues to be that the first order of business is to obtain Soviet agreement to verification improvements to the Threshold Test Ban Treaty (TTBT) and the Peaceful Nuclear Explosions Treaty (PNET), including on-site direct yield measurements. Once our TTBT and PNET verification concerns have been satisfied

and the treaties ratified, we will immediately engage in negotiations toward possible additional testing limitations in parallel with further reductions of all nuclear weapons.

In another approach to seeking improved verification, the United States and the Soviet Union have recently concluded the fourth session of the Nuclear Testing Experts Meetings (NTEM) in Geneva. In these meetings, both sides have described in detail their preferred approaches to the verification of the Threshold Test Ban Treaty and the Peaceful Nuclear Explosion Treaty. The NTEM delegation was originally headed by ACDA, which also supplied the delegation's Executive Secretary and an expert representative. These sessions have been and will continue to be supported out of ACDA funds in the future in the likely event that negotiations begin on verification improvements. ACDA will also support this effort through its External Research Program as called for in the Arms Control Act.

We have either completed or have underway a number of operating improvements within ACDA. These are designed to permit a more efficient use of our resources and better support for negotiations. Our classified computer system is now fully operational and widely used throughout the agency. Important uses include a series of analyses being performed with a nuclear exchange model in support of the current strategic arms negotiations. These studies will improve our ability to evaluate the impact of different force structure

and arms control options on the strategic balance. In addition, we have installed a powerful computerized retrieval system to improve the accessibility of the negotiation records, position papers, and background studies, of all major arms control negotiations. A project currently underway will provide a similar system for the retrieval of authoritative verification and compliance statements made by U.S., Soviet and other country officials. This latter project is being carried out cooperatively with the Canadian Foreign Ministry as one of the activities resulting from the Quebec Summit of 1985, where President Reagan and Prime Minister Mulroney agreed to "...joint research efforts to strengthen our capacity to verify agreements on the control of armaments." Another computerized system keeps track of arms control-related research conducted by, or for, all agencies of the U.S. Government, as required by the Arms Control Act. The funding in this request provides the tools to assure confidence in ACDA's arms control analysis.

We also have underway a program to update our office equipment capability. Modern word processors and personal computer equipment are being installed for the decentralized use of our bureaus and offices with networking features to communicate electronically on a secure basis. This new office automation system will significantly enhance the capacity and output of our small staff. Last fall when the FY88 budget process was initiated with OMB, we worked to determine the

priority for ACDA's mission, competing with other agencies for funding within the framework of the President's balanced budget initiative. Our authorization request reflects a positive OMB and Administration endorsement of the importance of ACDA's role in the arms control process.

Included in our request is $48,000 for representational funds. These funds are used primarily for informal contacts with representatives of foreign governments both here and overseas. The bulk of these expenditures are for the work of our delegations in Geneva and Vienna, and for other contacts with foreign government representatives. Informal meetings of this nature greatly strengthen the negotiating process.

As you know, about 50 percent of ACDA's continuing programs goes for salary and benefits. Our FY88 budget request makes full provisions for a total of 265 positions of which 208 are either full-time permanent or temporary ACDA staff and 57 are reimbursable positions with personnel from other agencies, primarily the Departments of State and Defense. Other major expenditure categories are support services, which we receive from other agencies and which are provided to the delegations through the U.S. Mission Geneva, and overseas travel.

As negotiations have progressed in Geneva, we have looked closely at the physical facilities that are needed to adequately house the delegations and provide for necessary security of the staff and their working environment. We have moved the

delegations handling our bilateral negotiations with the Soviets to the U.S Mission building to better meet their needs.

In this light, it has become apparent that the longer term solution to the requirements of our arms control efforts in Geneva is best addressed by a joint ACDA-Department of State effort to construct a new dedicated building on the grounds of the U.S. Mission. Funding for this project was appropriated in the Department of State budget for FY 1986. The State Department is currently negotiating with adjacent landowners for additional parcels which would permit the construction of the new building to meet the Canton of Geneva's zoning codes. Final approval and construction cannot proceed until this has been resolved. The completion of this new building should greatly improve the working conditions of the delegations and meet what are unfortunately, ever increasing concerns about security.

This FY88 request for continuing ACDA programs is $3,300,000 higher than last year's level but in light of the amount of negotiating activity with the Soviets and other countries, and the other programs which ACDA is mandated to carry out, I believe that this level of funding is essential to the successful implementation of our agency's mission.

I hope you will appreciate that while experience with the negotiations since 1985 provides a base from which to evaluate continued funding requirements for FY88, the highly volatile nature of these negotiations likewise makes accurate

development of outyear funding requirements very difficult. For that reason we plan to request for FY89 an authorization level which is set, as was the case for FY87, as "such sums as may be necessary." That proved to be an economical and efficient way to handle the provision of adequate outyear funds to meet our statutory requirements and I strongly believe that the FY89 authorization amount can be most appropriately handled in such a manner. Traditionally, your authorization language has provided necessary guidance while preserving the equally necessary flexibility to permit realistic negotiations with the Soviet Union and other partners in the different fora. We look forward to the continuation of that tradition.

Mr. Chairman, distinguished Members of the Committee, I conclude by submitting, and asking your support for, the Fiscal Years 1988-1989 ACDA Authorization request. We look forward to continuing our work with this Committee. We want to work together to do everything possible to build upon the progress made in 1986 towards the United States' arms control goal of the elimination of offensive nuclear arms and the transition to deterrence based substantially on defenses rather than the threat of nuclear destruction.

I will be very happy to provide additional details of this request in response to any questions you have today or submit this information for the record.

OFFICIAL TEXT

U.S. ARMS CONTROL AND DISARMAMENT AGENCY WASHINGTON, D.C. 20451 OFFICE OF PUBLIC AFFAIRS (202) 647-6714

Embargo: March 24, 1987
2:15 P.M. EST

ARMS CONTROL - THE CHOICE FOR CONGRESS

STATEMENT OF HON. KENNETH L. ADELMAN

DIRECTOR, U.S. ARMS CONTROL AND DISARMAMENT AGENCY

TO SENATE FOREIGN RELATIONS COMMITTEE

MARCH 24, 1987

Thank you, Mr. Chairman. Before turning to the President's FY1988-89 funding request for ACDA, I want to say a word about Congress's broader role in the arms control process.

On more than one occasion, I have pointed out that the most critical negotiations in arms control sometimes take place not in Geneva, or Reykjavik, or Moscow with the Soviets, but right here on Capitol Hill with the Congress of the United States. You in Congress wield a two-edged sword. On the one hand, you have it within your power to strengthen our hand significantly as we head to the bargaining table with the Soviets. On the other hand, you also have it within your power to tie our hands in such a way as to make progress in real arms control nigh impossible.

Right now we are entering a critical period in arms control negotiations. I believe we are closer than ever before in history to the right kind of arms control, the kind of arms control that President Reagan originally set out to achieve six years ago--arms control that effectively reduces weapons and reduces the risk of war.

However, there is one place on earth where all this progress could be undermined in a moment--and that is on Capitol Hill. Mr. Chairman, negotiations with the Soviets in Geneva and in Moscow are tough enough already. Let's not make the main threat to good arms control be in the Congress of the United States.

The threat I am speaking of lies in a range of measures--many of them known, inappropriately, as so-called "arms control amendments." The common thread running through these measures is that they cut and limit U.S. defense programs without in any serious way affecting the military programs of the Soviet Union. The common thread running through these measures is that they remove incentives for the Soviets to bargain seriously toward effective arms reductions.

I am talking about such measures the unilateral ban on testing of a U.S. anti-satellite (ASAT) system in space, passed last year despite the fact that the Soviets already have an operational ASAT weapon.

I am talking about the unilateral cuts in the U.S. program to modernize the Western chemical weapons deterrent, made after 17 years during which the United States has produced no new chemical weapons and during which the Soviets have ceaselessly produced new chemical weapons.

I am talking about the proposal for a U.S. moratorium on nuclear tests, which has given fresh credence to a moribund Soviet propaganda campaign on nuclear testing, and which flies in the face of the advice to avoid such moratoria that President John F. Kennedy passed down to us over two decades ago.

I am talking about the proposal to force selective U.S. compliance with the expired and unratified SALT agreements, made even as the Soviets blatantly violate key provisions of these agreements.

I am talking about the cutback in funds requested for our SDI program, made at a time when the Soviets wish for nothing more than cuts in the U.S. SDI program and at a time when the Soviets push forward with their own SDI efforts. And let's be clear about this: what the Soviets want is not a world without defenses, but a West without defenses.

And now, on top of all this, there is a move afoot that would seek to force U.S. adherence to a far more restrictive interpretation of the ABM Treaty than the Soviets were willing to accept in 1972.

Here is the fallacy. Congress can limit and cut U.S. programs. You cannot limit or cut programs of the Soviet Union. You can legislate unilateral disarmament. You can't legislate genuine arms control.

To get genuine arms control, we have to negotiate. And to negotiate effectively, we need a strong hand. Unilateral cutbacks remove every incentive for the Soviets to come to terms. Now, more than ever, our success in arms control will depend on presenting the Soviets with such incentives.

Much of this legislative activity rests on two assumptions, both of which I believe are dead wrong. The first assumption is that unilateral restraint by the United States will inspire similar restraint by the Soviet Union. The second assumption is that the Administration is not serious about arms control and will get an agreement only if forced pre-emptively to make concessions to the Soviet Union. The first assumption has been repeatedly disproved by historical experience; the second, I would argue, has been totally refuted by recent events.

In six years, I believe we have come a great deal farther on the road to deep reductions that many people believed was possible. In six years, I believe this President has more than amply demonstrated his willingness to go the extra mile to get sound agreements with the Soviets. But most important, in six years, this President has transformed the arms control agenda so that the Soviets are talking for the first time about agreements that would significantly reduce offensive nuclear arms. Let's not throw this all away on ersatz arms control amendments. Let's keep arms control a nonpartisan effort and give this President the tools and the time he needs to negotiate effectively on behalf of this country with the Soviet Union. We can do it cooperatively. We cannot do it without your support.

Finally, let us remember the wise words of your former colleague, Senator Henry "Scoop" Jackson, who rightly said: in matters of national security, the best politics is no politics.

United States Department of State

Washington, D.C. 20520

February 2, 1987

INFORMATION MEMORANDUM
S/S

LIMITED OFFICIAL USE

TO: The Secretary

FROM: L - Abraham D. Sofaer

SUBJECT: Impending Press and Congressional Inquiries on the ABM Treaty

We are in for a new round of allegations of improper conduct and unfair appraisals concerning the ABM Treaty. This round will relate to subsequent statements, made in the Standing Consultative Commission (SCC) and elsewhere, which some will claim establish the narrow view. Some will also claim that the Administration has intentionally suppressed these materials for the purpose of attempting to establish the broad interpretation of the Treaty.

The latest round has been triggered by a memorandum written by the General Counsel of ACDA which collects subsequent statements that give support to the narrow view. I was called by Michael Gordon of the New York Times last week, who asked me about this memo before the memo had reached my office. Mr. Gordon knew at least two of the exchanges referred to in the memorandum, both of which are classified. I was authorized to speak to Mr. Gordon on background. I tried to explain the issues on background, but I took the liberty of telling him, on-the-record, the following:

-- L has thus far only done a comprehensive study of the Treaty language and the negotiating record;

-- L has been conducting a comprehensive study of subsequent conduct since August 1986;

-- I had no knowledge of the statements Gordon said were in ACDA's memo until the summer of 1986;

-- L has no intention of withholding any material on this issue from Senate scrutiny; and

-- ACDA General Counsel has previously taken positions on the Treaty that have been rejected by the Administration, particularly that the language is clear on its face, and that the negotiating record establishes the narrow view.

All these facts are publicly known, and have been referred to by me whenever I am asked about this subject. This conversation might not have been necessary, however, had this information not been leaked to the press. Indeed, I had a discussion with Tom Graham only about ten days ago, and thought we had agreed to exchange drafts on this subject, to see if we could agree on a joint memorandum. I mentioned this effort to work together constructively to Ken Adelman, and expected to have an opportunity to demonstrate that this issue could be handled in a professional rather than politically biased manner. Instead, the ACDA memo will inevitably suggest that the subsequent record demonstrates virtually conclusive support for the narrow view, when the record is much more balanced, and the legal issues much more complex than the memo suggests.

cc: PA - Mr. Redman
PA - Mrs. Oakley
S/ARN - Amb. Nitze
ACDA - Amb. Adelman
ACDA - Mr. Graham
ACDA - Mr. Mobbs

Responses of Kenneth L. Adelman to Questions Asked by Senator Pell

1. ACDA external research funding would drop to about $700 thousand next year, continuing a steady 7 year decline. Be as precise as you can describing how these funds would be divided and what they would be spent for.

A. ACDA's FY-88 budget request includes $735,000 for external research, which is a $35,000 increase over the FY-87 figure. This is primarily for inflation. ACDA 's external research planning cycle does not provide for the identification of specific projects this early in the budget process. Our planning budget for FY-88 external research funds is allocated as follows:

Bureau	Amount
Director's Reserve	$ 200,000
Multilateral Affairs	100,000
Nuclear and Weapons Control	5,400,000*
Strategic Programs	135,000
Verification and Intelligence	100,000
Total	$5,935,000

*This includes $5.2 million for the RERTR rrogram.

2. Do you believe that ACDA has all of the funds necessary in the external research account to fully support the Geneva Nuclear and Space Talks, the Conference on Disarmament, MBFR, and other bilateral and multilateral negotiating efforts?

A. Yes, based on ACDA's current activity level, we feel that our funding request for the external research account is sufficient. In recent years ACDA has been making a concerted effort to increase its core staff and in-house research capabilities; thereby, decreasing the need for more costly external research. However, we continue to utilize external support to supplement ACDA's internal research work as necessary.

3. Please give detailed information on external research projects and internal research projects conducted this fiscal year on verification, with a cost estimate and an estimate of hours involved.

A. Listed below are the current verification research projects that have been approved for FY-87.

Internal Research

INF Verification - road mobiles & treaty verification concept

START Verification - mobiles & qualitative limits (launch weight and RV numbers)

Nuclear Testing Verification - yield estimation improvements

Chemical Warfare Verification - technologies which could support verification under a CW convention.

A total of 6 to 8 full-time equivalent personnel are devoted to these research projects.

External Research

Verification and Analytical Support	$40,000
VAS - Perimeter/Portal System (Red Team)	$40,000
Ballistic Missile Launch Weight	$45,000
Total	$125,000

4. If you had increased funding for external research, what would your priorities be?

A. As stated in question #2, ACDA's external research funds are used to supplement the Agency's own in-house efforts and we feel that the requested funding level is adequate at this time. However, if there is a significant increase in negotiating activity, which required additional research over our current estimate, ACDA would ask for supplemental funding to cover this requirement.

Q 5. Do you believe that ACDA support for the RERTR program can be terminated within two fiscal years?

A. The RERTR program requires three years (through FY 1990) to bring it to a successful conclusion. The third year is essential to complete the post-irradiation examination of the highest density silicide fuels. These fuels will be used to convert the half dozen or so high power research reactors which presently require the largest annual exports of highly enriched uranium. In addition, RERTR analytical studies of the safety, technical and economic implications of converting specific foreign research reactors will be required to assure the results of the program are implemented abroad without delay.

Q6. Could you sustain the RERTR program at the funding levels of $3.12 million in fiscal year 1988?

A. A reduction in FY 1988 funding from the $5.2 million requested to $3.12 million would be a very serious, if not fatal, blow to the RERTR program. After ten years and about $45 million this program has nearly reached a successful conclusion. A reduction of $2 million in FY 1988 would cause a significant reduction in RERTR program staff at Argonne National Laboratory and would significantly reduce the likelihood of success of RERTR's objective of reducing commerce in weapons usable highly enriched uranium abroad.

Q7. Could you finish your work on the RERTR program in fiscal year 1989 with a funding level of $2 million?

A. In FY 1989, the RERTR program schedule calls for the completion of the post-irradiation examination (PIE) of the full core demonstration fuel and the miniplates of the highest density fuel, and the irradiation of the highest density full size elements will begin. All of these activities are critical to the successful outcome of the RERTR program. A $2 million funding level for FY 1989 is not nearly sufficient to sustain these activities and would effectively kill the program.

Q8. I understand that ACDA is spending approximately $1 million a year to operate a fusion reactor at Oak Ridge, Tennessee. What is the justification for this funding? Why could it not be the responsibility of the Department of Energy?

A. One of essential RERTR program activities is the full core demonstration of the medium density silicide fuels which would be used to convert most of the foreign reactors now requiring highly enriched uranium. This demonstration was started in FY 1986 at the Oak Ridge Research Reactor (ORR). At the end of FY 1986 the DOE decided to shutdown the ORR. Thus, to continue the full core demonstration through its scheduled completion date (January 1988), it was necessary to include in ACDA's funding request for RERTR $1.6 million in FY 1987 and $1 million in FY 1988. Of course, the operation of the ORR could be the responsibility of the DOE if they considered it to be in their programmatic interest and if they had the available funding.

Q: Please describe the level of ACDA participation in the current reviews of the record of Senate consideration of the ABM Treaty and the record of subsequent practice of the parties regarding the ABM Treaty.

A: While the State Department has the lead in the current reviews of the record of Senate consideration of the ABM Treaty and the record of subsequent practices of the Parties regarding the ABM Treaty, ACDA is coordinating in the preparation of these studies. Specifically, each of the studies will be reviewed by ACDA prior to its completion.

Q. How much money is allocated for Foster Fellows in FY-88 in our request?

A. ACDA has allocated $310,000 for the Foster Fellows Program in our FY-88 Budget Request.

Q. How many Hubert Humphrey scholars have been named in the last 3 years? Please breakout by year and include name of recipient, educational institute and whether a final paper was received.

A. The following list provides a breakout of the Hubert Humphrey scholars for the past three years:

Fellow	Educational Institution
FY-86*	
Vladimir Gurfinkle	Princeton University
Fred A. Reinke	Columbia University
Theodore A. Ruater	University of Wisconsin
Robert E. Williams, Jr.	University of Virginia
FY-85*	
John W. Fenske	MIT
Brian J. Bailey	Univ. of Southern California
Robert Mark Soofer	Univ. of Southern California
FY-84*	
Ira J. Klein	Harvard College
Jeffrey M. Starr	MIT
Edward J. Rhodes**	Princeton University
Kerry M. Kartchner	Univ. of Southern California
Jay P. Kominsky	Tufts University

* ACDA requires quarterly progress reports from all fellows to ensure a final product would be forthcoming; however, fellows have up to five years to submit their final paper. All fellows to date are in compliance with these guidelines and have demostrated satisfactory progress.

** ACDA has received a final product from this fellow.

Responses of Kenneth L. Adelman to Questions Asked by Senator Murkowski

1Q. You have stated that it is U.S. policy that PIIs removed from Europe could be stationed in Alaska. But, the Defense Department says there are no plans to put Pershings in Alaska. Please clarify. In your judgment, are there any circumstances in which Pershings might actually be deployed in Alaska?

A. The US has deployed 108 PIIs and 208 GLCMs in Europe. Under the US proposed treaty regime, the US would maintain the right to deploy 100 LRINF missile warheads anywhere on US territory, including Alaska. We are exploring various basing options, but have not reached a decision on where to deploy our permitted LRINF missiles.

2Q. Have the Soviets backed away from their earlier commitment to redeploy their SS-20s (Soviet INF missiles) east of 80 degree longitude? Are they now insisting they can station them closer to Europe? If so, is this a bargaining ploy so that they can trade a US agreement to keep Pershings out of Alaska in return for reaffirming the 80 degree line?

A. The Soviets have backed away from their previous proposal to station their remaining SS-20s east of 80 degrees east longitude, which they claim would be out of range of Europe. Their recent proposal would allow the Soviets to deploy their remaining SS-20s in Asia anywhere east of the Urals. As for a trade, the US is not prepared to reward the Soviets for returning to a position which they have previously held.

3Q. Are there any Soviet SS-20s now deployed within range of Alaska? After an INF agreement, will there be any SS-20s deployed within range of Alaska?

A. Yes, SS-20s are currently deployed within range of Alaska. The US INF Draft Treaty would permit Soviet deployments in Asia. Depending on where the Soviets deployed their remaining SS-20s, they could be within range of Alaska.

4Q. Why has the US agreed that both sides will retain 100 INF missiles? Why not solve all the problems re where to deploy the Pershings and SS-20s by eliminating them entirely? In other words, why not a zero-zero option?

A. The US proposed the global zero/zero option in November 1981 and has stated its preference for such an outcome ever since. The Soviets have resisted global elimination of LRINF missile. As an interim step towards that goal, the US and Soviets have agreed to eliminate LRINF missiles in Europe and to limit LRINF warheads to 100 globally, since the Soviets are not willing to accept the elimination of all Asian based LRINF missiles. In addition, we propose prompt commencement of negotiations on the further limitation and reduction of LRINF missiles with the goal of their complete elimination.

Responses of Kenneth L. Adelman to Questions Asked by Senator Simon

Q: You recently disagreed with Senator Sam Nunn's views on the re-interpretation of the ABM treaty, and said that developing and testing of the kinetic kill vehicles for SDI was permitted because these systems were not in use in 1972 when the treaty was signed and ratified. What exactly is your basis for saying this? Are you saying that the principle of direct impact of missiles against missiles was considered to be based on "other physical principles?"

In other words, if your argument is that the only systems prohibited from development and testing are the nuclear-tipped ABM interceptors current in 1972, then why bother having a treaty at all since virtually nothing is limited or banned?

A: My statement was in response to a question from a reporter attending a Congressional staff defense forum luncheon, asking whether the testing of kinetic kill vehicles is impermissible under either a narrow or a broad interpretation of the ABM Treaty. Unfortunately, this exchange was not as clear as might be desired.

The text of the exchange is as follows:

> Mr. Lamb: What is your response to Senator Nunn's contention that the testing of kinetic kill vehicles is impermissible under either a narrow or a broad interpretation of the ABM Treaty?
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> Mr. Adelman: Because they're not other physical principles. The argument goes that other physical principles means that, those principles that were not around in 1972 at the time, and therefore this is not, kinetic kill is not, an OPP.
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> My tentative conclusion on that is that it is not correct. The kind of kinetic kill vehicles we are talking about right now are those that were not used in an ABM capability in 1972, and there are several reasons for that that I don't want to go into right now.

I think that this was an appropriate response. I was not referring to kinetic kill vehicles generally, but to "the kind of kinetic kill vehicles we are talking about right now," that is, kinetic kill vehicles that incorporate infrared sensors and autonomously home in on their targets. Such a guidance system could be judged to be other than an "ABM radar", as that phrase was used in 1972. Rather, to paraphrase Agreed Statement D, it would appear to be "a component capable of substituting for an ABM radar." Because the interceptor missile would home in on its target and incorporate the guidance system, it too could be argued to be based on other physical principles. As regards your point on nuclear-tipped ABM interceptors current in 1972, it is clear that some devices, even though they were not deployed in 1972, would not be considered to be based on OPP. On the other hand, the mere existence of a particular technology at the time the Treaty was signed does not in itself prevent that technology from being considered an "other physical principle" under the Treaty.

A final judgement whether kinetic kill vehicles are based on other physical principles has not been made by the US Government. This determination will depend on a variety of complicated legal and technical considerations, a major study of which is underway but

not yet completed. These considerations were the "reasons that I didn't want to get into right now," and they are the reasons I labeled my personal conclusions as "tentative."

Q. 2. One of the responsibilities you are charged with is to prepare and operate control systems to verify compliance of arms control treaties. Describe for me how you are fulfilling this mandate.

A. ACDA has been the key agency in the development of the essential verification concepts and provisions for the draft INF Treaty that is currently on the table in Geneva. ACDA currently has neither the technical expertise, the budget, nor the contracting mechanism to handle a full-blown RDT&E program to develop the hardware required. ACDA has been and will continue to deal with verification on a policy level, insuring that the proposed concepts, hardware and, finally, the implementation result in an effective verification regime.

3. How much are you spending on verification research of all kinds? What are the verification research programs that look promising to you as you look out over the next five to ten years?

A. In FY-87, ACDA is spending $125,000 on external research verification projects. The agency also has 6 to 8 full-time equivalent personnel devoted to internal research projects on verification.

Promising research over the next five to ten years should be conducted in the following areas:

1. Nuclear Testing - Continuing work on yield estimation improvements. Research on the verification of lower testing thresholds.

2. Chemical Warfare - Verification of chemical weapons related activities. Definition of instrumentation/inspection systems to monitor activities under a CW treaty.

3. Cooperative Measures - Investigations in the utility of various cooperative measures to determine their strength and limitations.

4. Qualitative Limits - Investigation in the verification of qualitative limits on ballistic and cruise missiles.

5. Mobiles - Continue research related to the verification of mobile missiles.

Q. As a senior officer of the US Government, you are charged with upholding treaties as the law of the land. The Preamble and Article I of the Limited Test Ban Treaty state that it is the intention of the parties to seek "the discontinuance of all test explosions of nuclear weapons for all time," and Article VI of the Non-Proliferation Treaty binds us to a similar commitment. Yet this administration has said that an end to nuclear testing is not in our best interest and has so far refused to negotiate for a comprehensive test ban (CTB).

Aside from your views on why a CTB is not a good idea, wouldn't you agree that your failure to even go to the CTB negotiating table is a violation of our solemn treaty commitments, which have the force of law in the US? What will you do to rectify this.

A. In the LTBT Preamble, the Parties describe themselves as:

> "Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.
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> "Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances."

LTBT Article I, 1(b) states that restrictions on underground nuclear explosions:

> "... are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusion of which, as the Parties have stated in the Preamble to this Treaty, they seek to achieve."

Article VI of the Non-Proliferation Treaty is:

> "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

US testing policy is fully consistent with obligations under the LTBT and the NPT. In the preambles to these treaties, the Parties cited their determination to continue negotiations toward the elimination of nuclear weapons testing, but did so within the wider context of the goal of general and complete disarmament, which was cited as their principal aim. There is at present no obligation in any treaty operating clause to negotiate toward a test ban. Signatories to the

LTBT and NPT recognized that a test ban cannot of itself eliminate the threat posed by nuclear weapons, and that limitations on testing must necessarily be considered within the context of a broad range of arms reductions, both conventional and nuclear. To that end, the US remains committed to achieving equitable and verifiable agreements leading to substantial reductions in nuclear arsenals.

6. How important is the General Advisory Committee (GAC) in the advice you give to the President and Secretary of State on arms control?

Two nominees for the GAC, Martin Anderson of the Hoover Institute and James Hackett of the Heritage Foundation, do not seem to me to be the kind of quality people you could get for the GAC. Anderson was the President's advisor for domestic policy and I am told has barely written anything at all about arms control, although he has spoken out enthusiastically on SDI. Hackett consistently opposes arms control, and is not to my mind a well-balanced, objective expert. He too is a big fan of SDI.

Is your preference for supporters of SDI?

How are nominees for the GAC chosen?

RESPONSES TO SENATOR SIMON'S QUESTION TO MR. ADELMAN RELATING TO THE GAC:

6. (GAC) The GAC is charged with providing advice to the President, the Secretary of State and the Director of ACDA respecting matters affecting arms control, disarmament, and world peace. Over its 25 year history it has fulfilled this function effectively, often providing useful advice and counsel on a very broad range of issues. The most well-known example being its comprehensive 1984 study of Soviet non-compliance with arms control commitments (A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments, 1958-1983), copies of which were provided to the Senate. More recently GAC advice to the President has taken the form of letters about a variety of arms control related subjects. I make it a habit to attend as many GAC meetings as possible and continue to find the seasoned analysis of its members a

very useful source of policy advice. The GAC is an important part of the President's set of advisory bodies.

Mr. Anderson, a former member of the President's Foreign Intelligence Advisory Board, (PFIAB), and, as you note, Domestic Policy Advisor to the President, is in my opinion, well qualified to serve on the GAC. From its inception the GAC has counted among its members many distinguished Americans who were chosen more for the breadth and quality of their advice than their expertise in a particular field of the arcane subject of arms control. Former GAC members include George Meany and Lane Kirkland; Stephen Wright, the executive director of the United Negro College Fund; James Chambers, President of the Dallas Times Herald; and Jame Cahill Pfeiffer, Chairman of the Board of NBC.

Mr. Hackett is equally well qualified for service on the GAC. Divergence of opinion relating to both the approaches which should be followed in any arms control negotiations with the Soviet Union and the merits of any particular defense program should be and are welcomed in the GAC. If we are to truly enhance American security through fair and tough arms control negotiations with the Soviet Union, we should include on the President's advisory boards people who will demand that stringent safeguards be included in any negotiations to help assure that desire for a treaty does not inadvertently lead to a treaty that neither advances the cause of arms control nor enhances the security of the United States.

As to my preference for supporters of SDI as members of the GAC, Certainly I would prefer that SDI supporters be included on the GAC membership. But, I do not feel that support for or opposition to any particular defense program is or should be the deciding factor in choosing a person for membership on any senior advisory body including the GAC. It is important that such bodies contain within themselves divergence of opinion so as to broaden their discussions and improve the quality of advice provided to the President, the Secretary, and me.

Members of the GAC are nominated by the President. Suggestions for nominees come from a wide variety of sources. Occasionally I make such suggestions as I am sure members of this committee do from time to time. Over the history of the GAC this process has served to assure membership that is broad, seasoned, and articulate in fulfilling the GAC's statutory responsibilities.

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